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SUBJECT: CFE: JCG OPENING OF SESSION GUIDANCE AND
STATEMENT FOR JANUARY 20, 2009

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EXCHANGE OF INFORMATION FOR 2009 (C) 08 STATE 6076: CFE:
JCG GUIDANCE - JANUARY 2008 (D) 08 STATE 12563: CFE/JCG:
CONTRIBUTING TO NATO'S CFE GAME PLAN

11. (SBU) As the Winter 2009 Joint Consultative Group (JCG) session opens, Russia's ongoing CFE "suspension," which began on December 12, 2007, will continue to dominate discussion. We also expect calls by Russia to use the JCG as a primary venue to negotiate at least some aspects of the CFE impasse, despite the fact that Moscow has not yet taken a decision to work seriously toward resolution of key issues. We anticipate that the U.S. will continue to coordinate NATO policy on CFE at the HLTF and to engage Russia bilaterally on the Parallel Actions Package. The JCG should continue to serve as the key venue for addressing CFE compliance and implementation issues, including those compliance failures associated with Russia's "suspension," as well as compliance issues associated with other CFE States Parties (as detailed in the Condition 5 Report.) We do not regard the JCG as an appropriate venue for solving the political issues at the core of the Russian suspension, or working on the Parallel Actions Package. Nor do we have confidence that the Russian JCG representative is or would be empowered to manage these hard issues. Throughout the session, the U.S. Delegation in Vienna should continue to follow standing guidance (reftels C and D) and respond in accordance with U.S. policy as required to play down any Russian rhetoric in the JCG or other Vienna fora. In doing so, Delegation should seek to:

-- actively raise (in the JCG or bilaterally as appropriate per ref C) and report on all instances of noncompliance with CFE Treaty obligations by Russia and other States Parties (i.e. Azerbaijan with its increasing overages in holdings, despite previous assurances that older equipment would be drawn down once modernized equipment was in place and secure.);

-- emphasize the benefits of the CFE regime and the importance of ALL States Parties implementing the CFE Treaty fully;

-- stress the continued interest of the U.S. and its Allies in creating the conditions that will result in the ratification of the adapted CFE Treaty; and

-- resist unhelpful efforts by Russia and possibly others to use the JCG to discuss and/or negotiate elements of the Parallel Actions Package, thereby complicating efforts to resolve the CFE impasse.

12. (SBU) The following statement is provided for

delivery at the JCG Opening of Session Plenary on 20 January 2009. U.S. Representative may provide advance copies to NATO Allies in the JCG-T and to others as appropriate.

Begin Text -----

Mr. Chairman,

As we embark on a new year, the United States would like to express our continued commitment to the Treaty on Conventional Armed Forces in Europe (CFE) and our resolve to work cooperatively to create the conditions that would allow the Adapted CFE Treaty to enter into force. We hope that all CFE States Parties share both this commitment and resolve, especially at a time when the CFE Treaty is at risk.

Russia's unilateral "suspension" of its implementation of CFE Treaty obligations as of December 2007, for which neither the CFE Treaty nor customary international law provides a basis, together with its military actions in Georgia, have raised very serious concerns about Moscow's commitment to cooperative approaches to security and to the CFE regime. Indeed, Russia's deployment of forces in Abkhazia and South Ossetia and recognition of these regions of Georgia as independent

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countries are inconsistent with core CFE principles, and only serve to complicate prospects for progress on fulfillment of Russia's Istanbul commitments with respect to Georgia as well as CFE more broadly.

Russia's actions damage both the Treaty and the near-term prospects for ratification of the Adapted CFE Treaty by all 30 States Parties, and also have the potential to undermine the essential trust and security the CFE regime has provided for 15 years. The limitations and the transparency provided by the CFE regime are not available through other instruments. That is a key reason why the CFE Treaty remains of such significant value to the security of Europe.

Mr. Chairman,

We need to work together to preserve the benefits of the CFE regime, which has important security benefits for all of Europe.

Along with our NATO Allies, the United States has continued to implement the Treaty, despite Russia's unilateral actions and inflexibility in addressing the concerns of all CFE States Parties. We have done so to demonstrate our commitment to the fulfillment of international agreements as well as the importance of cooperative security and the confidence that stems from military transparency and the resulting predictability.

Efforts are continuing outside this body on a way forward that balances the concerns of all CFE States Parties, preserves the principles of the Treaty, and creates the conditions for entry into force of the Adapted CFE Treaty. Russia's flexibility on key issues and willingness to engage constructively, rather than act unilaterally, will be critical for resolving the CFE impasse.

In the meantime, it is important for the JCG to make its contribution to restoring vitality to the CFE regime by continuing to facilitate implementation of Treaty obligations by all States Parties and to address CFE compliance issues. The Russian Federation's continuing failure to participate in CFE data exchanges and the inspection regime obviously demands our most immediate

attention.

The United States notes Russia's failure to participate in the Annual Exchange of CFE Information that took place on December 15, 2008 and its failure to provide its annual data valid as of January 1, 2009. This is in addition to Russia's failure at the previous data exchange to provide its annual data valid as of January 1, 2008; failure to provide its supplemental flank data valid as of July 1, 2008; failure to provide required quarterly additional information on Kushchevskaya in 2008; failure to provide required notifications to update annual data; and failure to participate in the CFE inspection regime since December 12, 2007, rejecting over two dozen requests. As recently as January 8, 2009, the Russian Federation refused yet another request by the United States to conduct a CFE inspection.

The Russian Federation's single page of aggregated information is not a substitute for the highly detailed and comprehensive CFE data exchanged under the Treaty's provisions. As the state with the largest armed forces and most TLE stationed in Europe, Russia's failure to provide the detailed annual information and notifications required by the CFE Treaty degrades the effectiveness of this key arms control treaty throughout the Area of Application.

Mr. Chairman,

The United States of America calls on the Russian Federation to meet its Treaty obligations fully.

As we have repeatedly stated, the United States firmly believes in the principles that bring us to this forum, and in the continuing value of the CFE Treaty. The future of CFE depends on the compliance and cooperation of all of its States Parties. We call for renewed commitment and resolve, and we call for full compliance with the obligations of the CFE Treaty in order to focus

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our efforts in the JCG productively during 2009.

Thank you, Mr. Chairman.

We ask that this statement be appended to the Journal of the Day.

End Text -----
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